

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL T. MCCARTHY, :
: Plaintiff, :
: :
: -against- :
: :
NATIONAL RAILROAD PASSENGER :
CORP., :
: :
: Defendant. :
X-----

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 10/1/2021

21-cv-955 (VSB)

ORDER**VERNON S. BRODERICK, United States District Judge:**

On August 2, 2021, Defendant advised me that Plaintiff's counsel had passed away and requested a stay of the parties' deadline to submit its joint letter and proposed case management plan until September 30, 2021. (Doc. 19.) Two days later, I granted that request, directing Plaintiff to provide his contact information on the docket and have any attorney notice an appearance on his behalf. (Doc. 20.) This deadline has now lapsed, and (1) Plaintiff has failed to submit a notice of appearance or place his contact information on the docket, and the parties have failed to submit the materials that were due on September 30, 2021. Accordingly, it is hereby:

ORDERED that the parties are directed to submit a joint letter on or before October 6, 2021. This joint letter should contain the following information: (1) whether Plaintiff intends to retain counsel, proceed *pro se*, or dismiss this case, (2) the status of any discussions between the parties since August 2, 2021, and (3) the parties' proposed schedule for next steps in this litigation, assuming that this case will not be dismissed.

IT IS FURTHER ORDERED that Defendant is directed to mail a copy of this Order to all

known address(es) for Plaintiff and then file proof of service on the docket.

SO ORDERED.

Dated: October 1, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Vernon S. Broderick". The signature is fluid and cursive, with "Vernon" and "S." being more stylized and "Broderick" having more distinct letter forms.

Vernon S. Broderick
United States District Judge